

II. 2001 Community Meetings: Scoping the Comprehensive Plan

Scope of Plan: for Core Planning Group review and markup

FINAL DRAFT

October 22, 2001

This document includes comments from community meetings and other tribal departments. At this time community meetings have been held at Bannock Creek (Aug. 1) , Gibson (Aug. 6), Buffalo Lodge (Aug. 13), Lincoln Creek (Aug 26), Ross Fork (Sept. 19) and Fort Hall (Sept. 25).

Community response has been positive and has helped us define the directions the Comprehensive Plan should take. We have added selected comments from the community meetings to the sections where they fit. In some cases, comments applied to more than one area of the plan. Comments included below are attributed to the community where they were made. (RF = Ross Fork, BL = Buffalo Lodge, LC = Lincoln Creek, G = Gibson, FH = Fort Hall)

Community interest in the Planning Process was such that the Planning Department will continue holding public meetings and discussions. The next series of meetings will be held as the draft plan takes shape.

Scoping

Scoping is the first step in actually writing a plan. Scoping determines what the plan will be about. It is analogous to setting the agenda in a political forum. What is included in the scope is what the plan will address; what is left out will most likely not be included at a later date.

Typically in government planning, scoping a plan is an administrative function. There is no citizen participation, public input or full-time direct participation by elected officials. However, scoping is a process in which major decisions are made. We are going to do things differently in developing the Shoshone-Bannock Tribes Comprehensive Plan.

This document is prepared to help the Planning Department and the Core Planning Team focus immediately on the plan agenda and work out the details with clarity and as much openness as possible. We need to all be in agreement as to what the comprehensive plan will be about as we proceed. The final scope of the plan will also allow the planners to set up work plans and timelines.

The draft scope on the following pages is based on the best information the Planning Department has been able to get from public hearings and from the departments of the tribal government. At this time we are presenting it as a final draft.

Overall Plan Structure

What most people outside of government think of when they hear about planning is the land use plan or zoning map, together with the zoning ordinance and the various documents and rules used to implement it. Land use and zoning will be a vital and important part of the Shoshone-Bannock Comprehensive Plan, but there will be more.

Like other governments, the Shoshone-Bannock government includes a number of departments and programs, each with its own area of responsibility and its own goals, objectives and plans. In this type of situation, “government planning,” the comprehensive plan becomes a master coordinating document, establishing a framework in which the departmental and program plans can be coordinated and refined. Because of the nature of government planning, much of the material included will look like a strategic plan. However, the Planning Department hopes to accomplish a higher degree of intergration than is usually found in strategic plans, along with the focus on “site, services and infrastructure” that is usually missing from them entirely. The comprehensive plan essentially becomes a “plan of plans.”

“Plan of Plans” is the approach which the Planning Department recommends here. It takes advantage of the experience, expertise and accomplished political work already done and avoids bogging down the planners in details.

The Shoshone Bannock Tribes Comprehensive Plan is first and foremost a document prepared in consultation with the people and communities of the Shoshone-Bannock Tribes. In the discussion with the communities, time and time again it was brought forward that all elected officials and tribal employees need to work at the grass roots level, to communicate and to provide services, and to have a vision for the future toward which everyone works. We hope that such a vision can form around this document.

Beyond tribal members and tribal government, the Comprehensive Plan’s Indian Country audience includes non-member residents of the Ft. Hall Reservation, the BIA and IHS, contract programs, and other Indian nations. The plan’s audience also includes, outside of Indian Country, administrators of other federal programs, Idaho state and local government agencies and planners, some of whom may not be well educated about Shoshone-Bannock.

A comprehensive plan by its nature regulates and limits the uses property owners can make of their land, sometime causing them financial harm. In general the courts have held that this is justified if the regulation serves a legitimate public purpose, if the regulatory action is a rational means of achieving that purpose, and if the action is applied evenhandedly throughout the areas where it is desired that public purpose should be achieved.

However, when a planning action appears to be arbitrary, is not clearly related to a legitimate public purpose, or is applied in a way that discriminates against an individual or class of landowners, the courts have generally struck down the regulations and have often awarded damages to the landowners. A strong comprehensive plan is one that can last out any such legal challenges.

The Planning Department believes that grounding land use planning actions in an analysis of the physical capabilities of the land itself provides a strong foundation for planning. As a first step, such analysis allows government to channel land uses into areas where they will not cause environmental damage, and where the environment will not impose heavy engineering or maintenance costs on buildings and infrastructure. Identifying areas of high natural suitability for human uses such as housing construction or agriculture allows government to apply the generally accepted principle of “highest and best use” in a way that will stand up in court.

The Planning Department strongly believes that establishing an evenhanded, fair, rational and open planning process will protect the Shoshone-Bannock Tribes from liability for “takings”, while at the same time projecting and enhancing tribal sovereignty.

The plan outline on the following pages was developed as a response to community comment. It formed the framework for the 2005 draft that finally emerged from Core Planning Team meetings. We have kept this material in the document because it shows the way the community set the agenda for this Plan.

Title: THE SHOSHONE-BANNOCK TRIBES COMPREHENSIVE PLAN

i. Front Material

The front material will include the table of contents, a letter to the Shoshone Bannock people from the Chairman, a copy of the authorizing and adopting resolutions, and an executive summary.

Part 1 History

The history of the Shoshone-Bannock Nation includes material having a direct bearing on the present. There is a history of occupation of land and use of resources going back hundreds or thousands of years, that has a bearing on the way the Tribes and the membership view their treaty and customary use rights to land and resources. There is a history of the taking of treaty lands that needs to be presented. Treaty rights and off-reservation customary land and resource use needs to be documented and explained, especially to outsiders. One purpose of the History section is to put down as many markers as possible, in an official document that will be read by decision makers in this region. A good historic land and resource use document can be used to reaffirm those uses for future generations.

“History: we need a strong historical section in our plan, based on oral history. We need to record what the elders know, base our actions on that knowledge. Look at your path and don’t make the same mistakes - to go forward. Look to the past”. This was a long discussion with a lot of participation. The Planning Department would like to thank Mr. Layton Littlejohn for his leadership and thoughtful comments during this discussion. (RF)

Part 2 Sovereignty

This section has been moved to the front of the plan based on the volume of comments and level of concern raised in all the communities. The membership is strongly committed to the concept of sovereignty, and that concern informs the positions they take on almost every other issue. The Planning Department feels strongly that the Tribes need a strategy and a long-range plan for exercising their sovereignty. Sovereignty issues will ultimately be settled by litigation, but every administrative action taken by the Tribes should reinforce sovereignty, and these positions and actions need to be thoroughly documented. The attorneys can not handle this issue without support in depth.

“Sovereignty: We are always being pushed around by the counties, they are trying to take our jurisdiction away. We need to take a strong position to control our land use. We need to develop our GIS systems and have first-rate techniques for planning. (BL)”

“we need effective, experienced courtroom attorneys. People want our land, there is

always a legal challenge going on (there was some discussion of a recent case which was decided against the Tribes' interests) (LC)"

"Sovereignty: We need to get back control of our roads, we should be telling the county where road work needs to be done, not the county doing what it wants to. (G)"

"Sovereignty/roads: The counties claim jurisdiction over our roads, but don't maintain them. We need to take back control of these roads. (FH) "

Part 3. Present Conditions

This is the baseline data for the plan. It includes brief discussions of the following topics;

Background Information and Vital Statistics

This is the standard material required in putting together program plans, grant applications, reports and other documents. It is a necessary part of a good comprehensive plan and having it all in one place will benefit the tribes as a whole.

- Demographics/census data
- Community
- Economics
- Tribal finance
- Infrastructure
- Government structure

Current land use

This section includes the present zoning map, as well as the best information we can gather about present land use. It should document non-conforming uses, whether they were granted by the Tribes' Land Use Commission or are extralegal. It should map and document all permits on Shoshone-Bannock lands granted by other governing bodies.

Land status

This section should include good information about the quality of land surveys and the reliability of legal property descriptions, as well as the current status of lands within the reservation boundary.

"Land issues/reversion of Gay Mine RR ROW. The ROW for this railroad was supposed to revert to the landowners when it was taken out of service. This has not happened. (RF)"

Issues also were raised about the status of railroad lands elsewhere on the reservation. A particular concern raised here was the accuracy of land surveys and the ways in which leasing

seemed to favor non-tribal members.

“We need to get accurate surveys, resolve issues like someone’s property line going through their kitchen. Otherwise these issues will come back to haunt our children. (LC)”

“the non-Indian farmers have a priority over tribal members. They spray chemicals when and where they want to, they get priority access to the water, they don’t bid against each other for leases. It’s a Mormon mafia.” (G)

Goals and Objectives

This section includes the goals and objectives developed by the Shoshone-Bannock government and people, organized as an outline strategic plan for their accomplishment.

Part 4. Land and Resource Use

The general approach to land use planning is based on land capability analysis, with suitability and constraint mapping as well as performance requirements for each major land use grouping. Land capability analysis works, it reserves lands for their highest and best use, and it avoids natural hazards. Its solid basis in natural conditions and facts effectively counters legal challenges claiming that planning decisions are arbitrary, discriminatory or have no basis in fact.

Land and resource inventory/maps

These are the raw material for suitability analysis. These maps show and document the resources, physical conditions, and other parameters on which suitability analysis is based. They include:

- soils
- geology
- groundwater
- surface water
- Slopes
- vegetation/range sites
- climate
- fish and wildlife habitat
- environmental hazards

Suitability Maps:

These are not zoning maps. They are maps showing areas that have a combination of natural characteristics or resources making them suitable for certain uses or activities. These uses at a minimum should include: Agriculture (irrigated and dry farming); residential construction; septic tanks and leach fields; sewer lagoons; residential construction; commercial and industrial construction; roads and streets; road and land fill material; playing fields; sanitary landfills; livestock grazing; wildlife habitat; and other uses as may desired by the tribes.

Constraint Maps;

These are maps that show areas having natural constraints. Examples include flood zones; areas of shrink-swell soils; aquifer recharge areas; critical habitat of threatened or endangered species. Developing in constrained areas typically involves increased engineering, design and maintenance costs, hazards to life and health, or legal prohibitions.

Part 5. The Plan Chapters

1. Land Use Classes: Land and Resource Use/Resource-oriented Programs

These are plan maps based on suitability analysis, constraints and other considerations such as location. These maps establish the actual land use zones for the comprehensive plan. Each zoning map includes a description of the process and rationale used to develop it. If suitability maps are developed for the particular use, these will be included.

The following land/resource use classes will be each given a chapter in the Comprehensive Plan.

2. Mineral Extraction

As a trial run, the Planning Department did maps showing suitability for sand and gravel mining, and for road fill material borrow pits. Based on these maps the Tribes could identify sites for gravel and borrow pits.

3. Fish and Wildlife

“Wildlife: go back to the “Timbana Plan” for wildlife habitat. Community members said that portion was “well documented” for the Bannock Creek area” (BC).

4. Forest/woodland resource management

5. Cultural Resources/historic resources and sites

6. Agriculture (section added because of volume of public comments)

“Agriculture: we need irrigation in our community, need irrigation in the sand hills, secure the water rights out here. (There was a long discussion about the community’s historic irrigation ditches, downcutting in Lincoln Creek, and the need to continue farming in general, especially hay for livestock). There should be irrigation of new areas north of the community center. (LC)”

“Agriculture: getting tribal members back into farming and ranching should be a priority for economic development. (G)”

“Agriculture/extension service: we need extension service in the communities. We could have quilting, sewing, canning, also a good one would be carpentry for ladies.(RF)”

Agriculture/irrigation: “we run out of water in June or July. We need to go to a closed system (to cut evaporation and leakage)(RF)”

Agriculture: “we need improvements in the dry farming area and in range areas.(RF)”

7. Grazing/Range Management (section added because of volume of public comments)

“Agriculture/Grazing: There are economic (\$) and institutional (BIA won’t give us grazing leases) barriers to tribal members ranching. We are all family here, we could form a corporation, make one person responsible. The livestock provides an opportunity for our children, also teaches them responsibility. The water right now is not enough for livestock, we need range water development, and development of hay ground. (LC)”

“Range Management/enforcement: non-Indian cattle are causing damage to range. LUPC doesn’t do anything. We’ve never seen the livestock inspector.(RF)”

“Agriculture/livestock: we should have an indoor arena for rodeo and livestock. We could bring back riding and roping as activities, also have a ranch hand school for young people.(RF)”

8. Water Rights and Water Use

“Hydropower: we should be building dams on some of our streams to generate power (BL)”

9. Housing

Housing/elder housing:” There needs to be more housing for elders, scattered sites, not centralized in Ft. Hall. The elderly need smaller homes, not big ones, also there should be funds to renovate elders’ homes.” (RF)

Housing/Youth issues: “young people getting married: we should have apartments they can rent so they don’t have to live with their parents”.(RF)

Elderly Housing:” the existing elderly housing needs fencing and landscaping.” (FH)

10. Economic Development

“Economic Development: prime development sites in the Bannock Creek area: the Arbon Valley freeway exit should be used for commercial development, with casino and truck

stop - not at Rainbow Beach. The store and gas station are better located for local use. There should be an expanded selection of goods at the store. The casino and truck stop should use tribal members as suppliers. There was some discussion of reviving livestock and ranching, with slaughtering and meat packing to supply the casinos and restaurants (BC)”

“Economic Development: we need development, maybe a store at the Blackfoot exit, maybe a new freeway exit. Right now the closest store is at Blackfoot. (G)”

Economic Development/tribal Contracts: “There are tribal members that have businesses - is there really a TERO out there?” (This was a discussion about tribal contracts going to non-tribal members) (FH)

Economic Development/casino: We need a new casino “Yeah, a real fancy one. I went to Wild Horse, they have a restaurant, swimming pool, golf course ... there were people all over the place. Why can’t we do that?”(FH)

ALSO SEE: “Integrated Approach to Economic Development” “Exit 80 Master Plan” and “Shops for Rent”

11. Transportation

This section includes infrastructure and utility corridors

“Roads/transportation: there needs to be tree trimming and removal on some roads to make it possible for people to pass farm equipment. Farmers are letting their irrigation systems water the roads, which causes pavement break-up - it is illegal but there is no enforcement. (G)”

12. Capital projects

“Capital Projects: Buffalo Lodge needs water and sewer service. We use this building every week, and the elders all meet here. (BL)”

“Capital Improvements/Community Facilities: The Community needs a larger district building. The existing facility is too small for funerals and other gatherings that tribal members from other districts come to. There needs to be playground, picnic area, some irrigation (possible use of school well). The community wants to re-implement the Team Roping Club (Tribe purchases team roping cattle, district takes care of them). There is a need for facilities for people interested in things besides team roping, such as basketball, tennis, golf, baseball, boxing, etc. A skate park would be nice. (LC)”

“Capital Projects: community wants to know if the District Building can be added on, needs a building inspector’s report. Community wants to add-on to building as community self-help project, rather than use off-reservation contractors. (BC)”

“Preservation/Beautification: Gibson building is all run down, the plumbing doesn’t work. This is the Eagle lodge, we should have some pride. We would like landscaping, have someone get the water back for irrigation, fix up the old lodge building as well. Maybe we could use the prisoners. (G)”

Capital Projects/development: “we need a recreation center here (on the reservation) including a swimming pool, bowling alley and game room. We also need a laundry/laundromat (RF)”

Capital Projects/child development center: “the Child development center needs to be completed for our children.(RF)”

Public Safety/capital projects: “we need police and fire substations in the districts. There should be a youth home, with a dorm setting. (Youth offenders).(RF)”

“Public Health/capital projects: we need a nursing home/old folks home on the reservation.(RF)”

13. Community Development

As a result of our community meetings, the Lincoln Creek Community has started meeting regularly to upgrade and improve their community facilities. The Planning Department has been providing technical assistance. This process may serve as a model for other communities.

Communications: “we need our own radio station”. (FH)

14. Environmental issues

“Environment/Dumps/Enforcement: There is a huge amount of trash, including chemicals and pesticide waste, all over the reservation. There are sites in the Lincoln Creek area the community is aware of and concerned about. They fear there may be more they know nothing about. “There are dump sites all over - people just dump anything. Nothing is done, there is no enforcement.” Landfills and dumps should be a priority - close them and clean them up. (LC)”

“Environmental issues: Community would like to see the underground tanks at the Arbon Valley exit cleaned up; community members claim that cattle are being allowed to graze in newly-burned areas; “We’re overrun with stray dogs.” (BC)”

“Environment/Hazardous Materials: The old Lincoln Creek School has lead-based paint and asbestos. There is no fencing, no warning signs. It also has an open, uncapped 12" well big enough for a child to fall down. This area should be fenced, signs put up and the well capped (unless it is put back into service, see below) “Give us the money and we’ll do it ourselves. (LC)”

“Environment/Law Enforcement: there are great concerns about agricultural chemicals. One member showed an article showing that exposure to Paraquat and Maneb together may cause Parkinson’s Disease. The feeling was that the Tribe’s laws on agricultural chemicals are not being enforced. (BL)”

Environment/Water Use: A lot of water users are not sticking to their schedule or are taking more than their fair share. The people at the ends of the laterals are not getting enough water. There needs to be enforcement. (BL)”

“Environment/forestry: There is a pine beetle infestation in some of the trees, the dead timber needs to be removed. (BL)”

“Environment/Dumps/Enforcement: Tire dumps and old refrigerators are causing environmental hazards in the area. There is a lot of illegal dumping, including trash and trees. Dumps should be a priority - close them and clean them up.(RF)”

“Environment/Noxious weeds: The CRP (conservation reserve program) lands are choked with noxious weeds. The weeds then spread to adjoining areas, causing problems. Landowners are not taking care of the problem, BIA says it is NRCS’ job to take care of it.(RF)”

“Environment/Dumps/Enforcement: There are old dumps in the Fort Hall district - what is being done? Where are they? (FH) “

“Environment/Public Health: Are there health statistics? Can we see the health effects of air pollution or pesticides?(FH)”

“Environment/pesticides: we need to look at pesticide regulation. We need to be able to use pesticides in the bottomlands areas, also to control noxious weeds on range land. (RF)”

15. Public Safety

“Public Safety: the railroad crossing at the boarding school is unsafe. Something has to be done. Also there are problems with vicious dogs in the area. (BL)”

“Law Enforcement: we need better law enforcement. People drive unsafely, they throw burning cigarettes out into the grass, farmers water the roads. A man is using his agricultural land as a construction materials dump, he got a cease and desist order but there was no follow-up action. (G)”

Public Safety/capital projects: “we need police and fire substations in the districts. There should be a youth home, with a dorm setting. (Youth offenders).(RF)”

“Public Safety/law enforcement: there are problem areas. We are incurring liabilities by violating due process, violating civil rights.(RF)”

Public Safety/transportation: “There are unsafe conditions at the Eagle Rd. school bus stops. We need sidewalks along Eagle Road, people run there, kids walk home.” There is great fear that children might be injured or worse.(FH)

Public Safety/Justice Center: “The paper trails should all be in the same building (courts and police). There needs to be a discussion about the kind of justice we are going to have - about treatment vs. incarceration.” (FH)

Public Safety: “my daughter was in an accident with a drunk. There was no place for him in the jail so they let him go.” We need a public safety center ... “where is the plan?” (FH)

16. Health

“Health: Some of the elders who worked in the mines are getting lung problems. We need to take care of that. (BL)”

“Health/Medical service: There is no emergency entrance for the clinic, or it’s closed. The clinic doesn’t do walk-ins (story about medical emergency that had to be taken to Pocatello because IHS would/could not serve). We need a nursing home. (G)”

Public health: many areas of concern, including health effects of pesticides and air pollution, also diabetes.(RF)

“Public Health/capital projects: we need a nursing home/old folks home on the reservation.(RF)”

17. Education

Education; “we support a community college. Also our language should be taught in the schools”.(RF)

Education/Adult Ed: “we need management classes here, distance learning. So people can get trained here instead of having to quit work and go off-reservation.” .(FH)

18. Enrollment (section added because of volume of community concern)

19. Social Services/TANF/welfare-to-work

20. Financial Planning and Management

“Finance: there should be a chapter in the plan on taxation and revenue. Show all the money coming into the reservation, and where it goes. (G)”

“we need to develop a regular budget allocation process, a “budget pie” so we plan our spending. We need to follow a system so we don’t take money from one place, move it someplace else. (BL)”

“There should be public reporting of gaming revenues and profits. There should be a per-capita payment from gaming, maybe just for the elders. There should be reinvestment of some gaming revenues, like the Coeur d’Alene Tribe does ... they paid off their casino and are building a golf course and a roller coaster, putting money back into the enterprise. (BL)”

“Finance/Per Capita Payments: per capita payments should be annual or every six months, not monthly, so we get a big check instead of a lot of little ones. (BL)”

“Per Capita Distributions: some of the per-capita money should be set aside in trust for the children. We need to look at the tax effects of per-capita distributions, also their effects on individual eligibility for SSI, TANF and GA. (RF)”

“Finance: we should set aside our funding for development instead of doing per-capita distributions. The money could be invested, used for development, for economic development. (RF)”

“Finance/per Capita Payments: Why couldn’t we have put the FMC settlement in the bank - it would earn \$2 million a year interest. We could distribute the earnings per capita. (FH) “

21. Government Organization (added as a result of volume of comments)

“Tribal government needs to come out more often and inform the people. Gaming is one place where we don’t get any information to the membership. (BL)”

“638 Contracting: We need to develop our services so we are better and more accomplished than the BIA. We shouldn’t be fighting other tribes for the 638 money, we should be working together with them to secure 100% funding of programs and IDC. (BL)”

“Government: We need an effective Land Use Commission and Land Use Department. There was much discussion of examples. (LC)”

“Government: we need effective, experienced courtroom attorneys. People want our land, there is always a legal challenge going on (there was some discussion of a recent case which was decided against the Tribes’ interests) (LC)”

“Organizational Issues: streamline the special use permitting process, the current process is inconsistent and works against tribal members. Tribal members need a more flexible review and approval process for community and grass-roots originated projects. (BC)”

“Political Issues: all attending agreed that the Land Use Commission, as well as other tribal political bodies should be more representative, with members nominated or elected to represent the districts, rather than at-large. (BC)”

“Organizational Issues: we talk about projects year after year, but we never get any action. The tribe needs to reorganize so there’s some kind of follow-up on these things. (G)”

Government Organization/Decentralization of services: “Everything is centralized in Fort Hall, there are no services at the local level”.(FH)

22. Implementation

“Participation: you need to keep coming back; also should set up special meeting for the elders with Shoshone language presentation, could be at elderly nutrition or bingo. (G)”

19. Plan administration and coordination

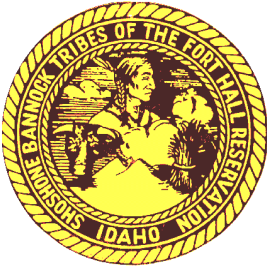
20. Permitting and enforcement procedures

21. Zoning ordinance and performance requirements

22. Appeals

23. Plan review and amendment

III. 2005 Community Meetings



The SHOSHONE-BANNOCK TRIBES

PLANNING DEPARTMENT

(208) 478-3837 / fax 478-3933

TO: Blaine Edmo, Chairman
Fort Hall Business Council
Comprehensive Plan Work Group
Bannock Creek Community
Shoshone-Bannock Tribes

FROM: _____
Jon Norstog, Planning Director

DATE: September 15, 2005

SUBJECT: Draft Comprehensive Plan: Community Meeting at Bannock Creek

The Planning Department held its first community meeting to discuss the draft Comprehensive Plan at 6:00 PM Wednesday, September 14, 2005 at Bannock Creek District Building. The Planning Department including myself, Darrell Shay and Ramontha Martinez were sponsored by Council Vice Chair Wesley Edmo. Also present were Gaming Manager Louise Dixey and Partners for Prosperity Community Liaison Christelle Edmo. The purpose of the meeting was to discuss the comprehensive planning effort and go over the draft document. About a dozen community members attended and participated in the discussion. The meeting wrapped up just after 10:00 PM.

There were a number of areas of discussion:

- 1) Range Management: Community members voiced dissatisfaction with current range management. There was a general discussion of the Integrated Resource Management Plan, as well as recent advances in range management practices. We suggested taking a day to focus entirely on range management, including educating ourselves about community needs and community members about some of the “high impact grazing” and “holistic management” techniques that are producing positive results for other Tribes.

The community is conscious of the need for integrating wildlife and water resource management into range management planning.

Mr. Edmo agreed to set up a meeting on range management with the appropriate program managers attending, sometime in October, date TBA.

- 2) Housing: community members want housing, especially on allotted ground, but are encountering difficulties. The focus of the discussion was mainly on the inability of FHHA to build everyone a house. Mr. Edmo said that Council had tried to set up a \$2 million fund for housing, from gaming revenues, but that the membership had opposed it because it would mean a reduction in per-capita payouts.

We did discuss some of the alternatives to HUD low-income housing, including loan programs and the possibility of setting up a CDFI/bank on the Reservation. There was some alarm voiced at the idea that gaming revenues would be diverted from per-capita payments to pay for housing and services. The preferred alternative is probably to increase gaming revenues and apply the new money to the programs and services the membership is demanding.

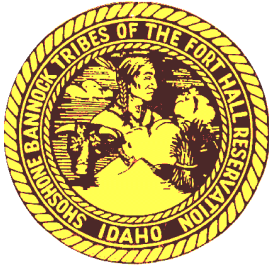
- 3) Delivery of Tribal Services: community members have a number of concerns related to road maintenance, fire protection, police, health, social services and headstart. They suggested three locations for a police substation, including at the District building, at the Bannock Peak Truck Stop, and another site that we need to map. The Planning Department will return to the community and work with them to develop a community-level plan.
- 4) Economic Development: there was some discussion with Gaming Manager Louise Dixey about the future of the Bannock Peak truck stop and casino. The building and site have numerous problems, including environmental issues, that taken together make it more economical to find a new site for a new facility. The community wants the new facility located as close as possible to the old one.

Ms. Edmo discussed some of the community healing, educational and economic activities and programs that her organization was making available to the community and to small businesspeople.

- 5) There was some discussion about tribal governance and why it is so bad. Mr. Edmo stood up for the Firefighters who had responded so well at the recent Rattlesnake and Sawmill fires. We indicated that governance issues were included in the Comprehensive Plan, but that they were going to require a long discussion.

We would like to thank the participants, and hope we can continue working with the Bannock Creek community.

Chrono/files/Darrell Shay



The SHOSHONE-BANNOCK TRIBES

PLANNING DEPARTMENT

(208) 478-3837 / fax 478-3933

TO: Blaine Edmo, Chairman
Fort Hall Business Council
Comprehensive Plan Work Group
Buffalo Lodge Community
Shoshone-Bannock Tribes

FROM: _____
Jon Norstog, Planning Director

DATE: October 18, 2005

SUBJECT: Draft Comprehensive Plan: Community Meeting at Buffalo Lodge

The Planning Department held a community meeting to discuss the draft Comprehensive Plan at 6:00 PM Monday, October 17, 2005 at Buffalo Lodge. The Planning Department including myself and Darrell Shay were sponsored by Fort Hall District Representative Aldene Pevo. Also attending was Fort Hall Business Council Member Marlene Skunkcap and Land Use Commissioner Tony Shay. About twenty community members were present for the discussion. The purpose of the meeting was to discuss the comprehensive planning effort and go over the draft document. The meeting wrapped up after 9:00 PM.

There were a number of areas of discussion:

- 1) Economic Development: This was a wide ranging discussion. Community members wanted to see the gaming redevelopment move forward, but were also concerned about jobs. There was some discussion of a recent industrial accident in which a tribal member lost his life.

There was some discussion about the Native American Bank. Community members felt they needed more information and had questions about the bank.

A community member said that the Pocatello Airport needs the Tribes for access and that we need to be involved in its operations. He also stated that we need to address highway congestions around Exit 80 and Ross Fork Road. This led to some discussion of the Plan's provisions for resolving traffic issues and the suggested four-laning of Ross Fork "Boulevard".

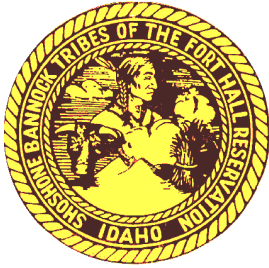
- 2) Sewer utilities: A community member asked about the possibility of extending sewer service further out, and raised the issue of the smell at the Tribes' sewer lagoon. We did discuss the issues around sewer and water utility service, particularly how they impact housing development. This led to a more general discussion of the need for housing, as well as the considerations involved in siting housing and selecting homesites. The issue of housing for young families and the way the Tribes are losing members because of housing and employment issues was discussed.

This led naturally to the subject of population growth and development. "The riff-raff are moving in and our young people are moving out. There was a concern that if more jobs develop at gaming there might be a lot of "outsiders" coming in to fill them.

- 3) Another concern was the Fort Hall Townsite. People at the meeting were concerned about the drug dealing and run-down housing there, especially the old trailers that are being rented out by slumlords. People felt the Tribes should take action, so we discussed some of the methods that have worked for other tribes in similar situation.
- 4) Law enforcement: There was a feeling that the Police Department had been politicized and that law enforcement was suffering because of it. We took the opportunity to discuss some of the issues raised and addressed in the governance chapter of the Plan.
- 5) The planning process itself: We took the opportunity to discuss generally how the "plan of plans" approach works, with the Comp. Plan serving as a framework for departmental and program-specific plans. We tried to emphasize the fact that the Plan was to be a living document that communities as well as Tribal departments would use for a long time.

We would like to thank the participants, and hope we can continue working with the Buffalo Lodge community.

Chrono/files/Darrell Shay



The SHOSHONE-BANNOCK TRIBES
PLANNING DEPARTMENT
(208) 478-3837 / fax 478-3933

TO: Blaine Edmo, Chairman
Fort Hall Business Council
Comprehensive Plan Work Group
Buffalo Lodge Community
Shoshone-Bannock Tribes

FROM: _____
Jon Norstog, Planning Director

DATE: October 21, 2005

SUBJECT: Draft Comprehensive Plan: Community Meeting at Gibson District

The Planning Department attended a regular district meeting to discuss the draft Comprehensive Plan at 6:00 PM Thursday, October 20, 2005 at Gibson District. The Planning Department including Ramontha Martinez, Darrell Shay and myself were sponsored by Gibson District Representative Nancy Murillo. Lee Juan Tyler. About twenty community members and others were present for the discussion, including former Council Members Bernard Eschief, Snookims Honena, Lionel Boyer, Mary Washakie, Emaline George and Delbert Farmer. The purpose of the meeting was to discuss the comprehensive planning effort and go over the draft document. The meeting wrapped up just -after 10:00 PM.

There were a number of areas of discussion:

- 1) The Comprehensive Plan and the reason for planning: : This was a wide ranging discussion that covered the place of planning in nature and traditional society, the way plans develop from the grass roots up, and the need for a long view, seven generations. A question was asked: "what is the most important thing in a plan?" Our answer was input and direction from the community. Everything in the draft Comprehensive Plan is tied back to directions we received from the community over the last four years.
- 2) Tribal construction: A community member suggested building up Tribal Construction to maintain Reservation roads. The road maintenance is tied back to sovereignty, because state and county police can bust Tribal members on "280 roads." There was some discussion of the need for Tribal members to fight traffic arrests where the off-Reservation police have no jurisdiction.

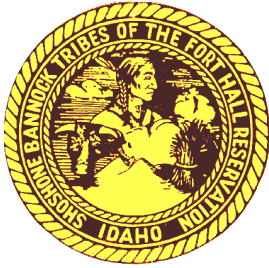
- 3) Livestock trespass, non-Indian cattle, grazing lease rates, subcontracting grazing permits were part of the issues raised over livestock and range management. The current system encourages non-Indian livestock grazing and discourages Tribal members from going into the livestock business. It is another way of turning mother earth into just something else that's for sale.
- 4) Law enforcement: There was a feeling that the Police Department had been politicized and that law enforcement was suffering because of it.
- 5) Highway beautification: there was some discussion of the need to landscape and beautify the highways, especially the freeway exits that are the gateways to the Reservation. These are things that can be included in the Transportation section of the Comprehensive Plan.
- 6) Governance issues: there was a long discussion of the need for accountability and fairness in government. The program directors came in for their share of criticism, and it was pointed out that Tribal government needs to have a process for evaluating the directors and managers. Another issue was representation. It did not get a full discussion, however. Would a return to representation by district be a move in the right direction?

There was some discussion of the need for a committee and/or staff to oversee contracts and grants, to make certain that applications go in on time and that grants and contracts don't get out of compliance with their terms and conditions. There was a call for "checks and balances."

A presentation from Emergency Management led to some discussion of the need for coordination of emergency response. This may be something that could be addressed by establishing a public safety department to consolidate and coordinate firefighting, emergency management and EMS services.

- 7) Records: there was some discussion of the need for secure storage for wills and other records related to trust lands and resources. This is a larger issue, one that faces Tribal government and gaming.
- 8) Youth issues: the community suggested that we give a presentation to the Sho Ban High School students and get them involved. This led to a wider discussion of the need to bring the next generation of leaders into the planning process and give them what they need to take over, especially to "defend the borders of this Nation." This led to some discussion of the place of zoning in protecting Tribal; sovereignty and control.

We would like to thank the participants, and hope we can continue working with the Gibson community.



The SHOSHONE-BANNOCK TRIBES
PLANNING DEPARTMENT
(208) 478-3837 / fax 478-3933

TO: Blaine Edmo, Chairman
Fort Hall Business Council
Comprehensive Plan Work Group
Bannock Creek Community
Shoshone-Bannock Tribes

FROM: _____
Jon Norstog, Planning Director

DATE: October 3, 2005

SUBJECT: Draft Comprehensive Plan: Community Meeting at Lincoln Creek

The Planning Department held a community meeting to discuss the draft Comprehensive Plan at 6:00 PM Wednesday, September 28, 2005 at Lincoln Creek District Building. The Planning Department including myself and Darrell Shay and were sponsored by Lincoln Creek District Representative Marlene Skunkcap. Also attending was Mr. Bill Brower, Transportation Director and members of his staff, and Executive Director LaNada Warjack. The purpose of the meeting was to discuss the comprehensive planning effort and go over the draft document. About a dozen community members attended and participated in the discussion. The meeting wrapped up just after 10:00 PM.

There were a number of areas of discussion:

- 1) Economic Development: This was a wide ranging discussion. Community members wanted a briefing on the Exit 80 Master Plan, but also were concerned about the “big picture” issues of sustainability, developing a skilled workforce with a work ethic, and the opportunities for small business development. The community members present were supportive of the idea of upgrading the gaming operation, but also wanted to hear more about it. They recognize the need for family-oriented attractions to keep the Tribes competitive with Jackpot NV.

There was also considerable discussion about the Native American Bank. Community members generally want banking services and credit on terms that work for them. They

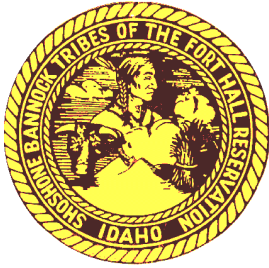
would like more information about Native American Bank. Ms. Skunkcap said that the deadline for investing in that bank would pass on September 29 and she did not think Council would move favorably on it.

There was a lot of discussion of the reservation economy and the way it leaks money. People in the community were in favor of supporting small business as a way of creating our own local economy and keeping money working on-Reservation.

- 2) The discussion of current tribal roads projects, particularly Little Indian Road, led to a discussion of the Tribes' Transportation Plan and the way it fits into the Comprehensive Plan. We took the opportunity to discuss generally how the "plan of plans" approach works, with the Comp. Plan serving as a framework for departmental and program-specific plans.
- 3) The discussion went on to the governance chapter. We said we hadn't wanted to deal with it, but that no matter what the issue, the discussion always went back to governance. Most of the discussion of the current situation in Tribal government was less than favorable, without being too specific. Ms. Skunkcap mentioned the problems caused by the two-year election cycle, which puts Council in a close to permanent election mode and leaves members too little time to learn their jobs and accomplish what they want. Her suggestion was to increase Council terms to four years. This is also one of the suggestions in the Comp. Plan. Ethical standards, or the lack thereof were also discussed.
- 4) Community Development: the Community is interested in getting a public safety substation and has a site picked out, next to the District Building.
- 5) There was some discussion regarding the ongoing drug and gang problems of Reservation youth. The concern is how it will impact the future of the Tribes. The feeling is there needs to be a solid, long term effort involving the whole community, rather than setting up yet another task force.

We would like to thank the participants, and hope we can continue working with the Lincoln Creek community.

Chrono/files/Darrell Shay



The SHOSHONE-BANNOCK TRIBES
PLANNING DEPARTMENT
(208) 478-3837 / fax 478-3933

TO: Blaine Edmo, Chairman
Fort Hall Business Council
Comprehensive Plan Work Group
Ross Fork Community
Shoshone-Bannock Tribes

FROM: _____
Jon Norstog, Planning Director

DATE: October 27, 2005

SUBJECT: Draft Comprehensive Plan: Community Meeting at Ross Fork District

The Planning Department attended a regular district meeting to discuss the draft Comprehensive Plan at 6:30 PM Wednesday, October 26, 2005 at Ross Fork District. The Planning Department including Darrell Shay and myself were sponsored by Ross Fork District Representative Blaine Edmo. About ten community members and others were present. The purpose of the meeting was to discuss the comprehensive planning effort and go over the draft document. The meeting wrapped up just after 9:00 PM.

There were a number of areas of discussion:

- 1) The Comprehensive Plan and the upcoming review process: we went over the hearing schedule and asked how we could best provide the community access to the plan document, given the limited number available. It was decided to provide a copy to the District Chair Dwight Osborne, who will make it available to community members. We urged community members to get their input. One suggestion was to have some public planning workshops for Tribal members.
- 2) Emergency Management: Community members brought up the emergencies that have struck New Orleans and elsewhere, and how the Tribes would respond to a major crisis. This is an issue that needs to be addressed. In a flu epidemic like the one in 1918, hundreds of Tribal members would require hospital care or round the clock nursing. How would we do this? Where would we put the beds? Who would take care of the sick?

- 3) Business development: This was a long discussion about the Comprehensive Plan's elements relating to small business development. We went over the concept in the Plan, which includes developing a source of small business loans, technical assistance (business plans, recordkeeping, etc.), developing a facility for business and office use, and a "buy Sho-Ban" initiative for Tribal government purchases. The consensus of the meeting was to move forward with the Community Development Finance Institute (CDFI) under the Native American Bank.
- 4) Protecting Sovereignty: community members raised the issue of protecting the Reservation from encroachment by the growing populations in Pocatello, Blackfoot and the counties. This led to some discussion of the need for zoning and land use controls as a way of regaining some of the control that has been lost.
- 5) Capital Facilities: there was some discussion of the need to get Tribal government out of all the old buildings that are being used now, and into modern, safe facilities. This led to a discussion of the need for a system for developing new facilities. One of the things that is emphasized in the Plan is an open procurement process to keep costs and contract performance in line. We also discussed the need for improved internet access, and the way that and other utility needs are making the old Tribal campus buildings obsolete. Another aspect of the capital facilities discussion was the Tribes' losing 638 contract money because they are billing indirect cost of maintenance on fully-depreciated facilities.
- 6) Governance issues: there was some discussion of the need for accountability and fairness in government. Community members are concerned about the Tribal Courts and law enforcement. A major issue is the lack of qualified Tribal member judges.

We would like to thank the participants, and hope we can continue working with the Ross Fork community.

Chrono/files/Darrell Shay

III. Public Hearing, Nov. 17, 2005: Digest of Transcribed Comments, with Responses Comments Received at the Public Hearing on the Draft Shoshone-Bannock Tribes Comprehensive Plan, held November 17, 2005

The transcript of the comments is attached. Below are some of the major substantive ideas and directions raised by those who spoke at the hearing.

The Planning Department contracted with an individual to record the hearing and transcribe the comments. This person changed her mind about doing the transcripts, and it was left to Planning Department staff to transcribe the tapes. The poor sound quality of the tapes is reflected in the transcripts, which are attached to this summary document.

Comments were generally favorable to the Plan, the issues raised tended to be the desire for more planning. These concerns were regarding the “missing chapters,” or material that should be included in the existing Plan. Because this was the way comments came in, this is the way we have organized the digest that follows.

Natural Resources Chapter:

Comment: Our water has been polluted a long time, there’s a plume that is moving ...

Response: Overall: the Comprehensive Plan establishes as a goal to preserve and protect natural resources and a clean environment for future generations.

Response: The Tribal action has concentrated so far on piping safe drinking water to the affected areas. Remediation could be part of a future action plan

Comment: Range management should be a vital element of the Plan. We know we have a 638 contract for range management, but we don’t know where the Tribes are taking it.

Response: Range management will be part of the Integrated Resource Management Plan (IRMP)

Comment: Where is the Natural Resources chapter of the Plan?

Response: There is a “Natural Resources Framework Plan” chapter that outlines general directions. Much of what Tribal members are looking for will be included in the IRMP.

Comment: I’ve been a rancher all my life, , cattle, a little farming, horses. That’s where this plan is really weak. We talk about economic development, that’s what agriculture is. Who are the major farmers on the Reservation? They aren’t Indian. I can count on my fingers the number of Indian farmers we have. We’ve made

millionaires out of a lot of white people off of potatoes, grain, mining, grazing. Here we sit, collecting 25 dollars and acre. We need a program to get kids interested in farming.

Response: Ranching and farming have been raised by the districts as well. This is an issue that should be in the scope of the IRMP. The Planning Department will include an action item in the Economic Development chapter of the Comprehensive Plan as well.

Comment: We have 33,000 acres of farm land leased to non-Indians. There is no reason the Reservation can't produce some millionaires. We need some programs.

Response: see above

Comment: We need a part of the plan to address our fish and wildlife issues. We sell water. Is this something we want to do over the long term?

Response: This will be addressed in a comprehensive way in the IRMP, consistent with the goals in the Comp. Plan.

Comment: We should not allow non-Indians to harvest game on the Reservation.

Response: See above

Comment: There's still no guidance on Range Management. I believe Indian cattlemen should be given the opportunity to develop the range management plan. We are moving into a new range allocation period with no plan in place.

Response: See above

Comment: There are endangered and rare species in the Bottoms including Ute Ladies Tresses (an Orchid) and Spotted Joe Pye weed.



Ute Ladies Tresses



Spotted Joe Pye Weed

Response: This will be addressed in a comprehensive way in the IRMP, consistent with the goals in the Comp. Plan. Extensive written material provided by this individual was forwarded to the team preparing the IRMP scope.

Comment: I'd like to see some of the Reservation set aside for wildlife and natural plant communities. There should be no development there. There are roadless areas like part of Mount Putnam it would be good to maintain that wilderness character. Another area is the Bottoms, should be maintained roadless.

Response: See above

Comment: I'm interested in seeing better livestock management, especially in the Portneuf headwaters area. We want improved land management, we should set an example for the outside people.

Response: See above

Comment: The Bottoms are being overrun with noxious weeds. You can't go fishing, can't even walk through there without getting the seeds all over you, getting scratched up by thistle. I'm also concerned about how all the agriculture up above is polluting the groundwater that drains into the Fort Hall Bottoms.

Response: See above

Comment: We need to protect water quality and minimum stream flows for all our streams. That includes Blackfoot River and Bannock Creek. We should keep that water clean and high quality and set an example, show people, look what we did here.

Response: This should be included in the scope of the IRMP

Comment: Did we ever consider looking at our CRP lands. Ross Fork there's a lot of CRP lands that need to be addressed.

Response: This should be included in IRMP scope.

Comment: I like to hunt and fish too. The areas we used fish and camp are all overrun with cattle anymore. Get out of your truck and step in a cow pie.

Response: See above

Comment: CRP lands should go back to their natural state. Got goats? Maybe we can use goats to manage the CRP lands. They eat everything, they'll just wipe it all out.

Response: Specific suggestions like this are addressed at the action-plan level: CRP action plan in IRMP could evaluate goats as an option.

The Federal Point of View

Comment: Money is really tight. From a federal point of view those tribes that have done their planning will have an easier time getting funding in the future, and keeping

the funding they have now. Having a plan means you are accountable for your funds - a public record of how you intend to use the money.

Response: This comment will be added to the executive summary of the plan.

Comment: The other advantage is having a plan provides continuity and stability. It avoids conflicts and changes of direction every time tribal council membership changes. Tribes that don't have a plan don't have stability.

Response: This comment reinforces the arguments raised in the governance chapter of the Plan.

Economic Development

Comment: We need a Tribal economy. We are responsible for about \$250 million annual cash volume regionally, but where do we go to spend our money? Pocatello, Blackfoot, Idaho falls.

Response: This point is raised in the Economic development chapter. We need to document the total economic impact of the Reservation.

Comment: We need a museum for tourism.

Response: The Exit 80 plan provides for relocation and improvement of the Museum. The next step is to include it in an action plan.

Comment: I want to see the Economic Development chapter implemented. I want to see the new golf course, the mini mall, a new casino. I want to see proper planning, not piecemeal development.

Response: These projects are in the early implementation stages now, following the Exit 80 plan

Traditional Way of Life

Comment: "Our people, our prayers, gotta keep it going." "We can't forget all those people that laid down those prayers for us way back, we wouldn't be here today without them."

Response: The Goals and Objectives recognize traditional spirituality and advocate bringing the spiritual element back into government and daily life.

Comment: We got no interpreters - we're losing our language.

Response: The Goals and Objectives emphasize preserving and reviving language and culture. This should be an element of an Education chapter which has not been

developed.

- Comment: We have a lot of history. There's places that have names, but the names on the signs are different. Like the "Nez Perce Trail" - there wasn't any Nez Perce living there. The Snake River should be named for our people. We should set these things straight. It's what our ancestors would want us to do.
- Response: This is addressed in Goals and Objectives. The History chapter provides a framework for mapping all the Shoshone and Bannock territory and recovering and restoring the place names throughout that territory.
- Comment: The History chapter needs to be strengthened, include more different stories because of all the different groups that ended up here.
- Response: See above. We hope to have more of the people's stories told and incorporated in this chapter. It is an ongoing process.
- Comment: We need some nupias to make a documentary in our own language. We need to preserve our songs. There's different types of songs we use during the year - not just Pow Wow songs.. There's warm dance songs ghost dance songs, war journey songs, certain other ceremonial songs that needs permission to take them. We could lose our language
- Response: This is a specific example of and objective that could be developed under the Goals and Objectives for traditional culture. This could be an action item in the same area as native language.
- Comment: We have our own history that needs to be told. Little kids, they don't know the truth, they see one side, the non-Indian side. We need to have something we can share with the outside world so that our story is told.
- Response: Vine Deloria used to say: "History. Yeah, that's his story. What about my story?" The History chapter was developed to help meet that need. In the absence of "our Story" all we have to teach is "His Story."
- Comment: Our legends, our songs, our teachings, children's stories, teaching stories, these need to be documented.
- Response: Addressed in Goals and Objectives and History chapter.
- Comment: There are mascot issues we need to deal with. Redskins, savages, the Salmon Savages. There's a lot of "squaw" place names. We need to change all these to Indian names.
- Response: In Goals and Objectives, one of the issues is "To increase the respect in which Shoshone Bannock Tribes and People are held." Mascots are a good example of a

respect issue.

Comment: We're losing our knowledge of what it means to be Indian. We need to teach our kids.

Response: This is in the Goals and Objectives, and should be an element of Tribal policy as well as an action item for education and social services.

Civil Rights

Comment: 'We work without federal employment law protection.... because the federal government exempts Indian tribes from these laws. We do not have protections against discrimination for age, sex or disability. The Tribes are going to be responsible for employing 1100 people - we need to have employee protection.'

Response: This is a point that should be addressed in the Governance chapter. It will be added to the draft.

Wish List:

This is a list of specific projects, facilities or services that were talked about in the hearing. They are not specific comments on any part of the Plan, but are the things tribal members would like to see result from planning.

Comment: We need a ...
A movie theater
Oil change place
24-hour café
Laundromat
Tire store
Car wash
Justice Center
Elder home
Veteran's home
A new museum

Response: These are all specific developments or capital facilities that can be implemented within the framework of the Comprehensive Plan. The Economic Development chapter provides a process for evaluating, siting and developing businesses and services. The Elder Home and the Wellness Center are projects that support the Goals and Objectives of the Comp Plan, and are included in the draft Health and Social Services chapter. The Justice Center is an ongoing project and is the first Tribal capital facility to follow procedures as outlined in the Capital Facilities chapter.

Comment: Wellness Center. We need a health facility where we could run and walk in the winter when it's cold. Keep everybody healthy. It should have things for the elders, not just basketball, perhaps they could do Indian dancing there, sing songs, tell our stories so we won't lose them. You could have powwows there, maybe have a health spa with a sauna and massage.

Response: The Wellness Center is an ongoing project. The Elder Home and the Wellness Center are projects that support the Goals and Objectives of the Comp Plan, and are included in the draft Health and Social Services chapter. The Comp. Plan also sets aside a site for the Wellness Center.

Comment: A wellness center like at Couer d'Alene.

Response: We have a plan drawing for that facility which will be included in the Capital Facilities chapter as an appendix.

Health:

Comment: One thing that's needed here (in the Plan) is health. We were talking about 7 generations, but just in a decade we have something taking place here. Now we are facing something crucial called the devil's drug - meth. That's really rippin us up severely.

Response: The Health Chapter is in early draft. It will include a section on meth, as well as substance abuse generally. The emphasis of the Health chapter will be on wellness and prevention as opposed to treatment.

Comment: Meth is gonna wipe us out - the next generation is coming in the world and their mother is on meth. Some tribes tell users to quit or they get disenrolled - maybe we should do that.

Response: The Comp. Plan has some discussion of enrollment policy, mainly in the Demographics and Housing chapters. It does not take a position on disenrollment. This is an issue that could develop at a later time.

Comment: We need an elders' home for our elders. They get disrespected when we send them to homes in the border towns.

Response: The Elder Home and the Wellness Center are projects that support the Goals and Objectives of the Comp Plan, and are included in the draft Health and Social Services chapter. The Comp. Plan also sets aside a site for the Wellness Center.

Comment: We have a meth problem. Meth, crack, kills and destroys human lives. It's destroying our lives and it's gonna destroy our children's lives, do we say anything about it in the Plan?

Response: See above

Comment: Diabetes is wiping us out ...

Response: The Health chapter recognizes this issue and is advocating a wellness/prevention approach in addition to improved acute care.

Comment: In ten years I'll be 60. We need an old folks home here on the Reservation. We send our elders to town to die. They should be able to sustain themselves out here.

Response: See above

Comment: We need the clinic expanded to include emergency care.

Response: This is included in the draft Health chapter.

Comment: Most of our people die from diseases that weren't even here before the white people came. Our forefathers didn't know what a chemical was. Now we are eating those chemicals.

Response: This comment reflects the need for prevention and a healthy lifestyle, as a health measure and a way of being Indian. It also indicates an issue that should be addressed in the IRMP consistent with Tribal goals and objectives..

Governance and Government Reform:

Comment: What is good governance at the Shoshone-Bannock Tribes? Sometimes we have a good council, but sooner or later we get a bad one. Council is in control of the money. They do piecemeal development projects. They get involved in the justice system and courts. We need checks and balances, separation of powers. This is non a non-Indian concept, it came from the east coast Indians, the "founding fathers" adopted their ideas of good governance from the Indians. You never see the President of the United States going over to the court in secret and trying to influence the court's decisions.

Response: These issues are addressed in the Goals and Objectives and in the Governance chapter. The next step is to begin a long community process to determine what changes should be made.

Comment: I want to see constitutional reform.

Response: Some recommendations in the Governance chapter will require change in the Tribal Constitution.

Comment: How much money do we have? We need a section on Tribal finances. What is the real reservation economy? What is the cash flow? How much money is coming in from leases, from gaming? How much is the Tribal payroll? Maybe there should be a chapter on that, just for Tribal members to read. You go to the city council in Pocatello and you're a taxpayer and a voter, you can get that information. We should have the same opportunity here - maybe a confidential document people can discuss at a called meeting.

Response: There should be a chapter on Tribal finance, including good information on Tribal finances, gaming revenue and the value created on Tribal lease lands, as well as other Tribal activities.

Comment: Two years is not enough time for Council members to learn their jobs. Terms should be longer.

Response: This is one of the recommendations in the Governance chapter

Comment: The elders, our ancestors taught us to respect one another. They were a force in our society. Maybe there should be a fourth branch of government, a Council of Elders, to give us spiritual advice and guidance.

Response: The Governance chapter suggests several options for including the voice of the Elders in governance.

Comment: One of the things you guys are hitting on is respect, lack of respect, not understanding respect. But it's pretty simple. In order to be respected you have to be respectful. In order to be trusted you have to be trustworthy. It can apply to an individual, it applies to an organization. It can apply to the Tribal government. A respectful individual is accountable for his actions, whatever he does is kinda transparent. We want to change the organization to be a respected force in the region. We have a lot to offer and the non-Indian community can benefit from listening to our wisdom.

Response: One of the Goals and Objectives is to increase the respect in which the Tribes and their members are held. This is also one of the guiding principles in the Governance chapter - respectful and respectable government.

Sovereignty and Jurisdiction:

Comment: "We got half our people in jail...." they don't get any rehabilitation, they just get recycled through the legal system. They can't get a job when they get out, 'cause they don't even have a GED.

Response: This is an avenue in which the Tribes could extend their jurisdiction while

improving the life chances for Tribal members who are in the joint.

Comment: We have DOE, the pipeline, electric lines, communication towers going everywhere on our land. Our ancestors would say we are weak because everyone is coming across our land.

Response: Sovereignty, the protection of Treaty rights and resources, and jurisdiction are addressed in the Goals and Objectives, in the Governance chapter and in the Natural Resources chapter.

Comment: We got the Idaho State Police disrespecting us, coming over here, they got P.L. 280.

Response: See above

Comment: “When you gonna do some action? That’s what I wanna see.”

Response: See above

Comment: We need to buy back our land that was lost, get it back. It’s our spiritual territory. I’d like to see that for our future.

Response: This is an issue that should be included in the Natural Resources chapter and will be included in the finalized draft.

Comment: We need to address a long term plan how we are going to protect treaty rights both on and off the Fort Hall Reservation. We need to educate our young people on what those treaty rights mean.

Response: This is covered in Goals and Objectives and in the Natural Resources chapter. It should be included in the Education chapter when it is drafted.

Comment: Does the Plan cover off-reservation? We’re involved in decisions on federal land all over, Soda foothills, Lower Canyon area, snowmobile issues in upper Mink Creek.

Response: The Comp. Plan specifically covers off-reservation treaty resources, and rights of access and use.

Comment: We need to assert our jurisdiction in our ceded lands. (Regarding non-Indian cattle crossing over from Caribou National Forest)

Response: Sovereignty, the protection of Treaty rights and resources, and jurisdiction are addressed in the Goals and Objectives, in the Governance chapter and in the Natural Resources chapter. Specific issues such as livestock trespass should be addressed in the IRMP.

Comment: The feds and the state are always doing these land swaps, we're left out in the cold. Who is watching? Is it Council's responsibility? Land Use Commission's? What if we just say in our Plan, "we want our ceded lands back?" Write that down.

Response: This is an issue that should be, and will be included in the final draft of the Comp. Plan.

Comment: So at the Congressional level, at the regional level ... it all boils down to no respect. How do we fight something like that?

Response: One of the Goals and Objectives is to increase the respect in which the Tribes and their members are held. This is also one of the guiding principles in the Governance chapter - respectful and respectable government.

Comment: I'm on the Land Use Commission. I wake up every morning, I pray. I pray to the Great Spirit, ask Him for guidance. What do I do today? Whatever it is, help me take it on and do the right thing for the Tribes, protect our sovereignty, our land base, our future.

Response: This is one of the ways to improve governance and develop a respectable and respected government.

The Need for Planning

Comment: Some things that came from the (1976) "Peterson Plan": TERO and tribal employment rights; the Tribal farm; the livestock facility; the Business Center; building our human capacity; self-determination and contracting federal programs. These were all identified in a plan and, you know what? They were implemented.

Response: This comment will be addressed in the Executive Summary.

Comment: Planning is traditional. Indians had to plan to survive - they knew they had to move throughout the country, in the different seasons, be at a certain spot where they could winter. All through the year they planned for survival. They planned for their children's survival. We're still planning and we're planning for our survival.

Response: This comment will be included in the Executive Summary.

Comment: We are constantly breaking up tribal land to provide individual homesites. There needs to be a mechanism to determine when a homesite is no longer needed and get it back. People who inherit allotments should not get to keep their

assignments too.

Response: This issue is addressed in a general way in the Goals and Objectives, and more specifically in the Housing chapter. It is also impacted by the Probate and Land Trust Reform Act.

Education:

Comment: We need to concentrate on protecting the welfare of our children, getting them an education. I don't see an education chapter in the Plan. I'd like to see our gaming, our per-capita, our economic development, our economic resources used to make sure everyone has an opportunity to go to college.

Response: We have a strong Goal Statement on education in the Goals and Objectives chapter. The Education chapter will follow up on those goals.

Transportation:

Comment: We need new rights of way and redevelopment of our roads.

Comment: A Transportation chapter is forthcoming from the Transportation Department.

Comment: We need a complete chapter on Transportation.

Response: See above

Comment: There has been a lot of discussion of the rail spur (up to Gay Mine). I'd like to see us do something with it.

Response: This issue should be developed in consultation with the community. Depending on what the community wants to do, it will be addressed as Economic Development, Transportation, or Natural resources.

Enrollment:

Comment: What does the Plan say about enrollment?

Response: The Comp Plan discusses the impact of enrollment policy on tribal population numbers in the Demographics chapter. It suggests changes in residence requirements as an option in the Housing chapter.

Comment: People are living in town because of the housing situation on the Reservation. Then they lose their residency. I think that if we live within any of the ceded territory we don't lose residency, because that's our homeland.

Response: See above.

Community Development:

Comment: We need improvements at the Districts, Buffalo Lodge, all of them. There's no restroom facilities, no kitchens. We have an issue regarding sovereignty and services, there should be a police, fire and roads substation in Bannock Creek.

Response: The Comp. Plan includes "placekeeper" sections for Community Development planning in each of the five districts. The actual district plans will be developed by or in consultation with the districts.

Written comment submitted after Public Hearing held Nov. 17, 2005

November 27, 2005

Dear: Tribal Planning

I'm an enrolled member of the Shoshone-Bannock Tribes (SBT) and I wish to provide some comments about the draft Shoshone-Bannock Tribes Comprehensive Plan (CP). Although my review of the CP was primarily limited to the natural resources chapter, my overriding comment is that the Plan needs to specifically identify "on the ground" management actions that the SBT will pursue over its life. For instance, I would recommend the Action Plan (chapter 7, pg 16) for natural resources specifically consider designating and protecting areas with high quality natural resource values, improving areas with water quality problems, developing an integrated noxious/invasive weeds control program, rare plants and animals conservation, and maintenance or improvement of important wildlife and fish habitat. I would also like to provide a couple of suggestions on promoting a more tourist-based economy.

There are at least two areas on Reservation that offer solitude, inspiration, natural quiet, and a place to get away. These two areas also provide: high quality habitat for wildlife, healthy native plant communities, important watersheds, biodiversity, and natural beauty. One area is located at northern end of the Portneuf Range in the Mount Putnam area (MAP 1). The other occurs along the Blackfoot River at the northeastern boundary of the Reservation (MAP 2). I recommend the SBT consider protecting these areas and waters in way that is similar to an officially designated Wilderness and/or Wild & Scenic River. In other words, these areas should be forever managed as an unaltered landscape and remain in an unspoiled condition for future generations. I would also like to see the SBT make an effort to work with the BIA to establish a minimum flow on the Blackfoot River that benefits trout fisheries.

To set the example with regional ecosystem management the SBT should consider implementing some management actions that improve the riparian areas and watershed of the upper Portneuf River (Map 3). Improvements at the headwaters of the Portneuf River would contribute a lot towards improving water quality, wildlife and fish habitat, biodiversity, and soil stabilization. Management actions taken by the SBT should consider: 1) reductions in livestock stocking rates, 2) adjustments to the season of use, 3) installation of wildlife friendly enclosures around significant springs and streams, and 4) noxious/invasive weeds control. The SBT should also consider partnering with the other land managers (e.g., Bureau of Land Management, Idaho Department of Lands, and private land owners) to improve water quality and watershed health at the upper Portneuf River. For your information, this river segment is also on the 303d list of water quality limited rivers under the Clean Water Act.

The SBT should consider developing a land use plan specifically for the management of the Fort Hall Bottoms. Some things the plan should address include: water quality, native plant communities, rare plants and animal conservation, wildlife habitat, biodiversity, fisheries, cultural resources, livestock/bison grazing, agriculture, access, noxious/invasive weeds, and recreational opportunities. The plan should also consider effects of adjacent land management, specifically upland agricultural operations that may be discharging pollutants and contributing to

the spread of noxious/invasive weeds. If needed, the SBT should consider developing and implementing strict water quality and weed management laws that address pollution and spread of noxious/invasive weeds into the Fort Hall Bottoms. Without mentioning the cultural importance of the Fort Hall Bottoms, it is also a regionally significant wildlife refuge for birds, big game, fisheries, and native plants. These values should be overriding when developing management goals and objectives for the Fort Hall Bottoms.

Something needs to be done about the out of control invasive/noxious weeds on Fort Hall Reservation. In the past five years, I have noticed populations of musk thistle, Canada thistle, Russian knapweed, and hound's-tongue explode - particularly on the Fort Hall Bottoms. Other areas that need to be target for weed control include: Bannock Creek, Gay Mine, railroad tracks, and irrigation canals and other waterways. Some control measures the SBT should seriously consider in regards to noxious/invasive weed management include: 1) inventorying and monitoring weed infestations and weed free areas, 2) area closures with significant weed infestations, 3) cleaning vehicles, equipment, and personnel of weed seed before leaving infested areas or outright avoidance, 4) developing and enforcing weed control laws for Tribal owned and individually owned Tribal Lands, 5) requiring the use of weed free certified hay, 6) adjustments to livestock/bison grazing management, 7) development of an integrated weed control program for areas with significant infestations, and 8) public outreach and education.

The SBT should also consider setting the example with ecosystem management by proactively protecting the rare plants that occur on the Reservation. This past August, I discovered three populations of Ute ladies'-tresses (*Spiranthes diluvialis*) and several populations of spotted joepeyeweed (*Eupatorium maculatum* var. *bruneri*) on the Fort Hall Bottoms. The Ute ladies'-tresses orchid is listed as threatened under the Endangered Species Act and spotted joepeyeweed is listed as an Idaho State rare plant species. There is potential habitat for these species throughout the Fort Hall Bottoms, and the SBT should consider developing a conservation strategy to inventory, monitor, and protect these rare plants. The Reservation also supports potential rare plant habitat for several other species (*Hymenoxys cooperi*, *Carex idahoa*, *Muhlenbergia racemosa*, and *Thalictrum dasycarpum*).

The Bench Road that is east of the Fort Hall Bottoms needs to be totally ripped out and repaved. This road has a lot of potential in regards to tourism and sportsman's access. I think with a little promotion the SBT may be able to make some revenue from the tourism of non-tribal members that may want to take this road as a scenic drive. Improving this road would also benefit the Tribal Members who use it daily and the many Tribal sportsmen who use it to access the Fort Hall Bottoms.

Other than some limited gravel pit mining, I strongly feel that the Fort Hall Reservation should be closed to mineral development, especially phosphate. Unless the SBT plans to go to war with Federal government and try to claim some more land off the Reservation, we are stuck with what we got. Mining results in irreparable damage to the natural ecosystem and we must maintain our very limited acreage to ensure protection of wildlife, fisheries, native plant resources, and watersheds for future generations. A good way to start this effort would be to obliterate the

railroad track that goes up to the Gay Mine area, which is also some of the best big game habitat in southeastern Idaho. After obliteration we can develop the area into a world-class bicycle track or hiking greenway. The SBT could even offer open bicycle races, marathons, and regulated use by non-tribal members. The SBT would benefit from this by making revenue off tourism, promoting Tribal Member health, and eliminating a railroad that greedy mining companies would use to access and destroy the land our ancestors fought and died for.

Other than administrative use and safety, off-highway vehicle and snowmobile use should be strictly closed on the reservation. These motorized vehicles threatened wildlife, native plant communities, and air and water quality. They are also noisy, dangerous, and a waste of nonrenewable energy.

Overall, I think the SBT should try and promote tourism and gambling on the Reservation and strictly regulate or eliminate traditional economical development activities such as timber harvest, mining, and livestock grazing. I say this because traditional economical development activities are normally exhausted within a few years and the impacts to mother earth are forever or long lasting. The Reservation is all we got and we have to maintain the natural environment to ensure adequate wildlife, fisheries, plant resources, water, and solitude for future Tribal Members. Promotion of education, especially higher education, is also critical for ensuring a high quality of life for future Tribal Members and the SBT.

Thank you for considering my comments.

Cleve Butch Davis

Map 1

Proposed Putnam Wilderness

INDIAN RESERVATION

PUTNAM WILDERNESS

Ross River

Bear Canyon

Five Points

Mountain 2685

Indian Reservation

BOUNDARY

Black Canyon

Topone

2000

2250

2400

2600

2800

3000

3200

3400

3600

3800

4000

4200

4400

4600

4800

5000

5200

5400

5600

5800

6000

6200

6400

6600

6800

7000

7200

7400

7600

7800

8000

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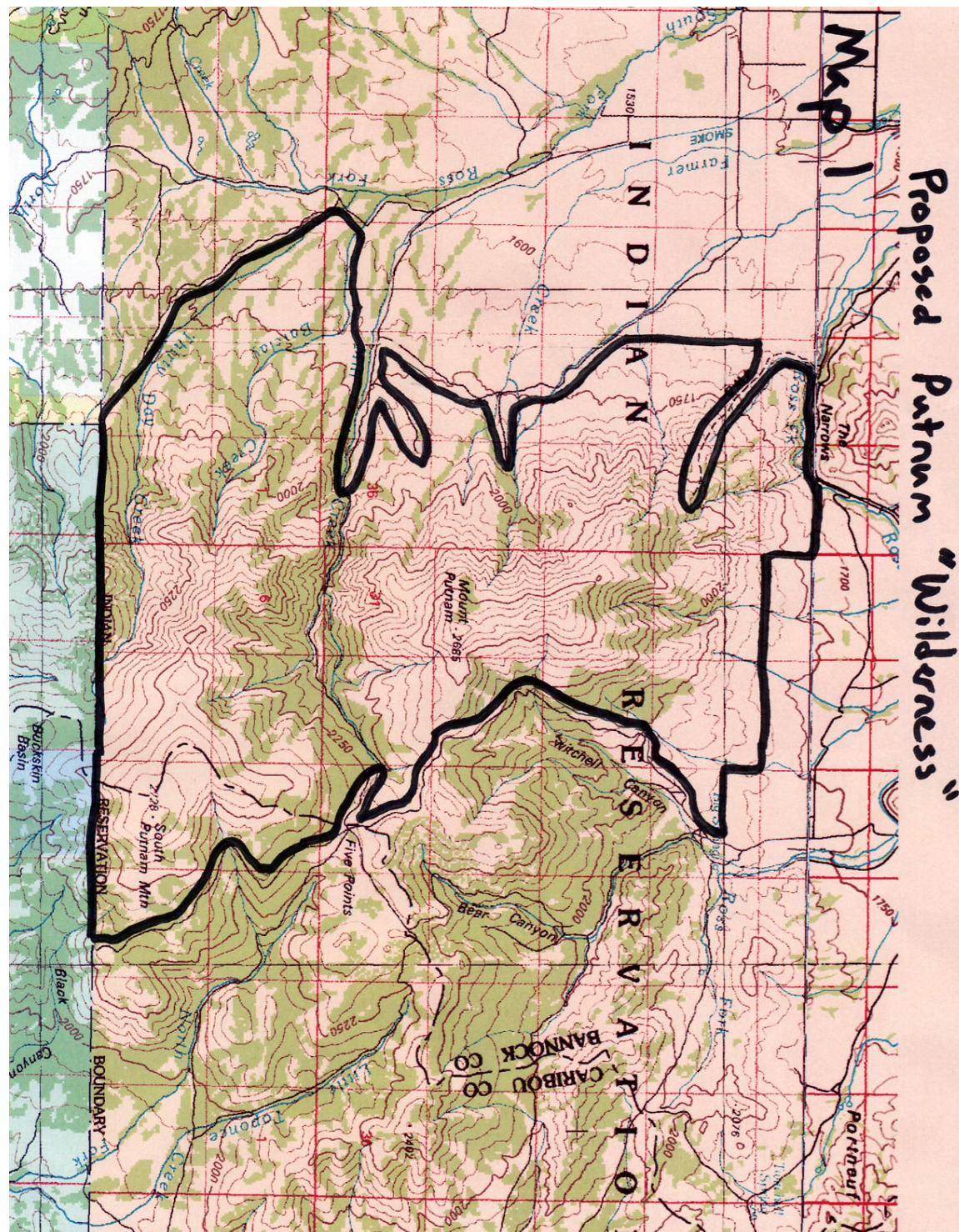
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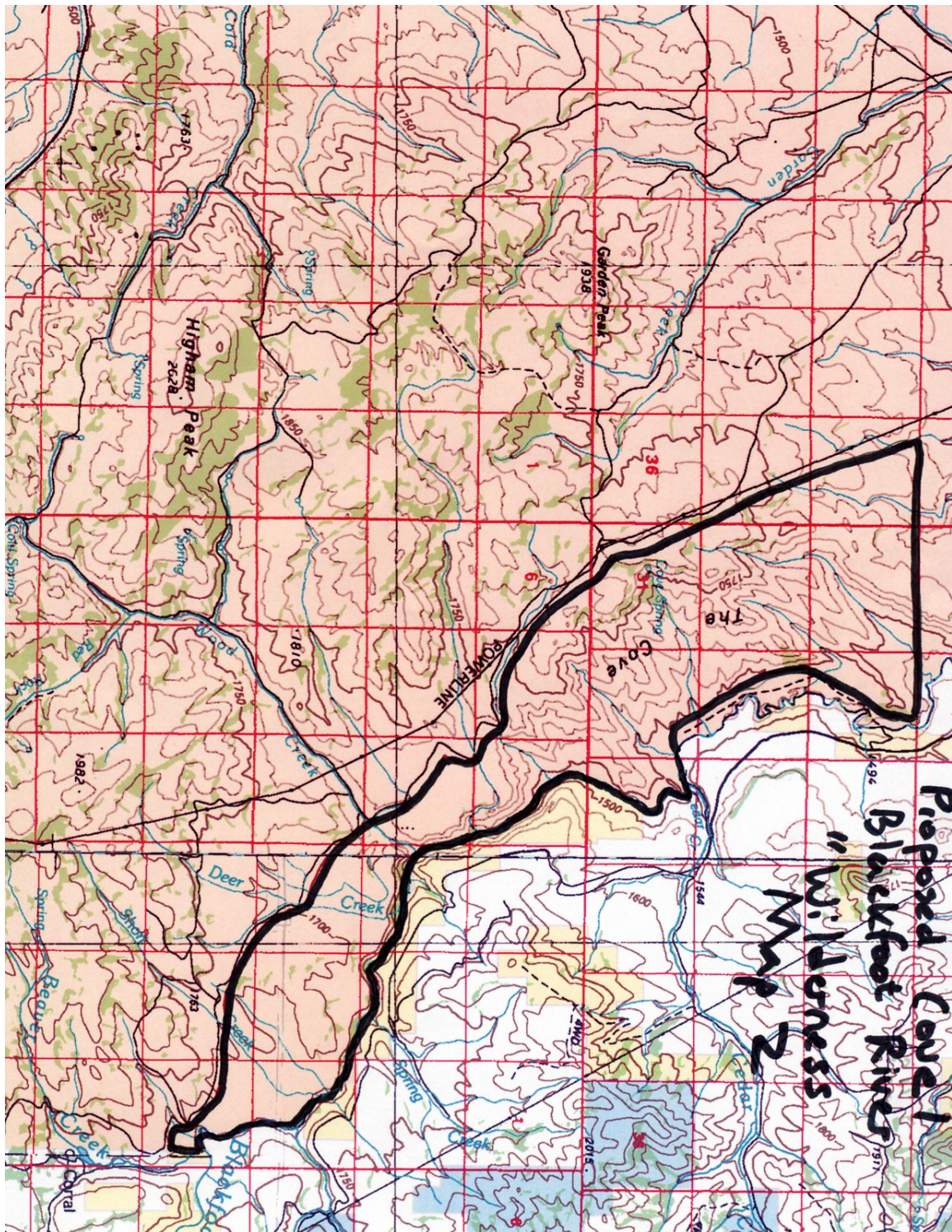
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(map 2) Solid black line identifies an area that should be designated and protected as a “Wilderness and/or Wild & Scenic River”.



(Map 3) Areas identified with a blue highlighter should be managed to improve the upper watershed and/or water quality of the Portneuf River.

